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ENVELOPE

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HEADER

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170441Z JUN 83
FM JCS WASHINGTON DC
INFO RUEADWD/CSA WASHINGTON DC
RUENAAA/CNO WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUEADWD/PTC WASH DC
RUEAMCC/CMC CC WASHINGTON DC
RUEOFAA/JSOC FORT BRAGG NC
RUCJAAA/USCINCRED MACDILL AFB FL
RUCIFBA/MAC INTEL CEN SCOTT AFB IL//INW/INZ//
RUCJAAA/USCINCRED MACDILL AFB FL//RCJ2//
RUEBBJB/HQ AFOSI BOLLING AFB DC
RUDHAAB/CDRUSAITAC ARLINGTON HALL STATION VA
RUEOAYB/FSTC INTEL OPS CHARLOTTESVILLE VA
RUCDGDA/CDRMICOM REDSTONE ARS AL//DRSMI-YX//
RUEALGX/SAFE
R
162116Z JUN 83
FM AMEMBASSY BUENOS AIRES
TO RUEHC/SECSTATE WASHDC 7625
INFO RUESMG/AMEMBASSY MANAGUA 0403
RUESTE/AMEMBASSY TEGUCIGALPA 0403
RUEOEHA/USCINCSO QUARRY HTS PN
RUCBSAA/CINCLANT NORFOLK VA
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CONTROLS

~~C O N F I D E N T I A L~~ SECTION 01 OF 02

BUENOS AIRES 04061

CINCSO FOR INTAFF; CINCLANT ALSO FOR POLAD
~~E.O. 12356 DECL: OADR~~
/******** THIS IS A COMBINED MESSAGE ********/

BODY

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TAGS PREL, PINS, AR
SUBJECT MASSERA'S ARREST ORDERED

1. ~~(C)~~ SUMMARY A FEDERAL JUDGE HAS ORDERED THE ARREST OF FORMER NAVY CINC AND JUNTA MEMBER ADMIRAL (RET) EMILIO MASSERA IN CONNECTION WITH THE DISAPPEARANCE OF A BUSINESS-MAN IN APRIL 1977. AT LEAST ONE KEY WITNESS HAS BEEN REPORTED DETAINED IN THE CASE AND OTHERS MAY ALSO BE ARRESTED. THE NAVY HIGH COMMAND ISSUED A STATEMENT ON JUNE 15 STATING THAT MASSERA WILL COMPLY WITH THE ARREST ORDER AS SOON AS HE RETURNS TO ARGENTINA. MASSERA IS EXPECTED TO RETURN TODAY (JUNE 16). END SUMMARY.

2. (U) A COURT SPOKESMAN CONFIRMED TO REPORTERS ON JUNE 14 THAT FEDERAL JUDGE OSCAR SALVI HAD ORDERED THE ARREST OF FORMER NAVY COMMANDER-IN-CHIEF AND JUNTA MEMBER EMILIO EDUARDO MASSERA IN CONNECTION WITH THE DISAPPEARANCE AND PRESUMED MURDER OF BUSINESSMAN FERNANDO BRANCA IN APRIL 1977. JUNE 16 NEWSPAPERS REPORTED THE ARREST EARLIER IN THE WEEK OF MARTA RODRIGUEZ MCCORMACK, COMMON-LAW WIFE OF BRANCA WHO MAY HAVE BEEN MASSERA'S MISTRESS AT THE TIME BRANCA VANISHED. RODRIGUEZ MCCORMACK'S DETENTION COULD BE FOLLOWED BY OTHER ARREST ORDERS FROM THE JUDGE, ACCORDING TO COURT SOURCES. PRESS ACCOUNTS OF WHAT IS DESCRIBED AS A FAR-RANGING JUDICIAL PROBE FLATLY DESCRIBE MS. RODRIGUEZ AS IMPLICATED IN BRANCA'S COMPLEX DEALINGS INVOLVING MASSERA AND POSSIBLY WITH THE BUSINESSMAN'S DISAPPEARANCE.

3. (U) THE NAVY HIGH COMMAND, REACTING TO THE HIGHLY PUBLICIZED LEGAL DEVELOPMENTS INVOLVING ITS FORMER CINC, ISSUED A STATEMENT ON JUNE 15 SAYING THAT MASSERA "WILL COMPLY WITH SALVI'S REQUEST AS SOON AS MASSERA RETURNS TO THE COUNTRY." THE STATEMENT ADDED, HOWEVER, THAT "THE NAVY, DUE TO THE TEMPORARY SECRECY OF THE CASE, CANNOT PROPERLY EVALUATE THE SITUATION AND ESPECIALLY THE ISSUE OF JURISDICTION," WHICH PROMPTED PRESS SPECULATION THAT THE NAVY OR MASSERA HIMSELF MIGHT CHALLENGE SALVI'S COMPETENCE TO HANDLE THE CASE.

4. (U) MASSERA IS EXPECTED TO RETURN TO ARGENTINA JUNE 16 FROM BRAZIL WHERE, ACCORDING TO PRESS REPORTS, HE IS EN ROUTE BACK FROM MADRID. IN A RADIO INTERVIEW FROM RIO JUNE 15, MASSERA SAID THAT HE WAS "SURPRISED" BY SALVI'S ARREST ORDER AND THAT "IN A SHORT WHILE I WILL BE IN BUENOS AIRES AND I WILL TRY TO FIND OUT WHY SALVI ORDERED MY ARREST, WHICH SUGGESTS THAT I AM A FUGITIVE--SOMETHING I DEFINITELY AM NOT." REUTERS REPORTED FROM MADRID THAT MASSERA MET THERE WITH FORMER ARGENTINE PRESIDENT MRS. PERON AT LEAST TWICE LAST WEEK, ACCORDING TO SOURCES CLOSE TO MRS. PERON.

5. (U) BRANCA CASE JUDGE SALVI'S ARREST ORDER IS THE RESULT OF INVESTIGATIONS THAT BEGAN IN NOVEMBER 1981,

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WHEN PATRICIO KELLY (ARGENTINE JOURNALIST AND NATIONALIST EXTREMIST) TOOK MASSERA TO COURT FOR ALLEGEDLY BEING INVOLVED IN THE BRANCA CASE AND IN THE ACTIVITIES OF THE ITALIAN "PROPAGANDA TWO" MASONIC LODGE IN ARGENTINA. ACCORDING TO THE WIRE SERVICE "NOTICIAS ARGENTINAS" BRANCA AND MASSERA HAD BUSINESS LINKS AND WERE PLANNING TO OPEN A BANK. BRANCA ALSO WANTED MASSERA TO FIND HIM A BUYER FOR SOME OF HIS PROPERTY SO THAT THE PROCEEDS COULD BE USED TO OPEN THE BANK. BRANCA DISAPPEARED AFTER ANNOUNCING THAT HE WAS GOING SAILING WITH MASSERA. FOLLOWING BRANCA'S DISAPPEARANCE, HIS FORGED SIGNATURE WAS USED TO SELL MUCH OF HIS PROPERTY. PRESS SPECULATION IS THAT MASSERA MAY BE CHARGED WITH "COVERING UP THE MURDER". KELLY TOLD THE PRESS ON JUNE 14 THAT "THE COURTS HAVE SUFFICIENT EVIDENCE" TO SENTENCE MASSERA.

6. (U) MASSERA'S PARTY FOR SOCIAL DEMOCRACY (PSD) CHARGED THAT JUDGE SALVI'S ARREST WARRANT WAS PART OF A "POLITICAL MANEUVER" TO HAMPER A "NATIONAL ALLIANCE" BETWEEN MASSERA AND THE PERONISTS. IN A STATEMENT ISSUED ON JUNE 14, THE PSD SAID THAT "MASSERA IS BEING ATTACKED BECAUSE HE WAS DESIGNATED BY GENERAL PERON AND CONFIRMED IN HIS POST BY MRS. PERON, BECAUSE HE DEFENDED NATIONAL SOVEREIGNTY, AND BECAUSE HE FOUGHT AGAINST THE DEATH PARTY (IN REFERENCE TO ARMED LEFT-WING SUBVERSION)". MASSERA'S SUPPOSED CONTACTS WITH ISABEL PERON IN MADRID, THE SUBJECT OF INTENSIVE POLITICAL SPECULATION THE PAST TEN DAYS SINCE WORD OF THEM WAS FIRST LEAKED OR PLANTED, HAS BROUGHT CONSTERNATION TO THE LEADERSHIP OF THE PERONIST MOVEMENT. THE FORMER PRESIDENT AND SPIRITUAL LEADER OF PERONISM HAS SHUNNED CONTACTS WITH PARTY REPRESENTATIVES AND PRESIDENTIAL ASPIRANTS ALIKE SINCE SHE WENT INTO EXILE AND SECLUSION TWO YEARS AGO.

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/****** BEGINNING OF SECTION 2 ******

7. ~~(C)~~ COMMENT IT APPEARS THAT THE NAVY MAY LET MASSERA BE TRIED IN THE CIVILIAN COURT. ADMIRAL BONINO TOLD THE DCM AT DINNER JUNE 14 THAT THE NAVY POSITION, TAKEN AFTER CONSULTATIONS AMONG THE TOP ADMIRALS, IS (1) TO HAVE A REVIEW OF THE EVIDENCE, (2) IF THERE IS REAL CRIMINAL EVIDENCE, NOT TO INTERVENE IN ANY WAY, (3) IF THE CASE SEEMS TO BE MADE FOR POLITICAL REASONS, TO TAKE ACTION TO DEFEND A NAVY OFFICER AGAINST A POLITICAL ATTACK. INCUMBENT NAVY CINC RUBEN FRANCO HAS NOT DISGUISED HIS DISLIKE TO MASSERA IN CONVERSATIONS WITH THE AMBASSADOR. SHLAUDEMAN

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